

IN THE DRAWINGS

The attached sheet of drawings include changes to Figs. 1 and 2. This sheet, which includes Figs. 1 and 2, replaces the replacement sheet filed on October 25, 2007 including Figs. 1 and 2.

Attachment: Replacement Sheet

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion, is respectfully requested.

Claims 31-41 and 43-60 are pending. In the present amendment, Claims 31-35, 37, 38, 48, 51-53, and 58 are currently amended. Support for the present amendment can be found in the original specification, for example, at page 5, lines 23-26, at page 12, lines 12-15, at page 19, lines 6-11, in Figures 1-4, 7, and 8, and in the original claims.¹ Thus, it is respectfully that no new matter is added.

In the outstanding Office Action, Figures 1 and 2 were objected to; and Claims 31-40, 48, 49, 53, 58, and 59 were rejected under 35 U.S.C. § 112, second paragraph; Claims 31, 32, 40, and 51 were rejected under 35 U.S.C. § 102(b) as anticipated by Schmidt (U.S. Patent No. 5,935,035); Claims 41, 43-47, and 50 were allowed; Claims 52, 54-57, and 60 were objected to, but indicated as including allowable subject matter; and Claims 33-39, 48, 49, 53, 58, and 59 were indicated as allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph.

Applicants acknowledge with appreciation the indication of allowed and allowable subject matter. In response, it is noted that the claims are amended to overcome the rejections under 35 U.S.C. § 112, second paragraph and independent Claims 31 and 51 are amended to include allowable subject matter, as discussed below. Accordingly, Applicants respectfully submit that all pending claims are in allowable form, and should be allowed.

This amendment is submitted in accordance with 37 C.F.R. § 1.116 which after final rejection permits entering of amendments canceling claims, complying with any requirement of form expressly set forth in a previous Office Action, or presenting rejected claims in better form for consideration on appeal. The present amendment amends the claims to comply with

¹ Page and line numbers of the original specification listed herein refer to the English language translation filed on August 31, 2005.

the requirements of form expressed in the Office Action dated November 19, 2008.

Additionally, independent Claims 31 and 51 are amended to include allowable subject matter from Claims 33 and 52, respectively. Therefore, this amendment only includes subject matter which was earlier presented. Thus, no new matter has been added, and this amendment does not raise new issues requiring further consideration and/or search. It is therefore respectfully requested that the present amendment be entered under 37 C.F.R. § 1.116.

The specification is hereby amended to correct some minor informalities in order to be consistent with the figures. It is respectfully submitted that no new matter is added.

Regarding the objection to the drawings, replacement Figures 1 and 2 are hereby submitted with the label "Prior Art" attached thereto. Accordingly, it is respectfully requested that the objection to the drawings be withdrawn.

In response to the rejection under 35 U.S.C. § 112, second paragraph, regarding Claim 31, it is noted that Claim 31 is hereby amended to recite, in part, "a secondary power train provided with a third epicyclic gearset and a fourth epicyclic gearset associated with electric machines including a first electric machine and a second electric machine of an electric variator." Support for this amendment can be found in the original specification, for example, at page 5, lines 23-26, at page 12, lines 12-15, and in Figures 1-4. Thus, "each electric machine" is hereby deleted and "the electric machines" now recited on line 11 has antecedent basis.

Regarding Claim 38, "the first brake" is hereby amended to recite "a first brake."

Regarding Claim 48, "an engine shaft of the internal combustion engine" is hereby amended to recite "the shaft of the internal combustion engine" to clarify that the shaft is the same shaft recited on line 11 of Claim 41.

Regarding Claims 53 and 58, "the simple epicyclic gearset" is replaced with "the simple gearset" to be consistent with Claims 51 which recites "a simple gearset."

Accordingly, in view of the amendments discussed above, it is believed that all pending claims are definite, and no further rejection on that basis is anticipated. However, if the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually acceptable language.

Turning now to the rejection under 35 U.S.C. § 102(b), Applicants respectfully request reconsideration of this rejection and traverse this rejection, as discussed below.

Independent Claim 31 recites, in part, a power-splitting infinitely variable transmission, comprising “a secondary power train provided with a third epicyclic gearset and a fourth epicyclic gearset associated with electric machines including a first electric machine and a second electric machine of an electric variator.” Additionally, “the first electric machine of the electric variator is connected to a first reducing stage coupled to a sun gear of the first epicyclic gearset and to a ring gear of the third epicyclic gearset.” It is respectfully submitted that the cited reference does not disclose or suggest every feature recited in amended Claim 31.

Schmidt describes a powertrain 10 including an engine 12, a motor/generating unit 14, a motor/generating unit 16, and a planetary gear arrangement 20.² Additionally, the planetary gear arrangement 20 described in Schmidt includes four planetary gearsets 22, 24, 26, and 28. As can be seen in Figure 1 of Schmidt, the motor/generating unit 16 is connected to a sun gear 42 of the second planetary gearset 24 and the motor/generating unit 14 is connected to a sun gear 30 of the first planetary gearset 22 and a sun gear 54 of the third planetary gearset 26.

However, it is respectfully submitted that Schmidt does not disclose or suggest that “the first electric machine of the electric variator is connected to a first reducing stage

² See Schmidt, at column 1, lines 56-62 and in Figure 1.

coupled to a sun gear of the first epicyclic gearset and to a ring gear of the third epicyclic gearset,” as recited in amended Claim 31.

Instead, as discussed above, both of the motor/generating units 14 and 16 described in Schmidt are connected to sun gears of the planetary gearsets 22, 24, and 26. Thus, neither of the motor/generating units 14 and 16 described in Schmidt are connected to a ring gear of any of the four planetary gearsets 22, 24, 26, and 28.

Accordingly, it is respectfully submitted that Schmidt does not disclose or suggest every feature recited in amended Claim 31. Thus, it is respectfully requested that the rejection of Claim 31, and Claims 32 and 40 which depend thereon, as anticipated by Schmidt be withdrawn.

Independent Claim 51 recites, in part, a power-splitting infinitely variable transmission, comprising “a first compound gearset configured to connect an internal combustion engine to vehicle wheels along a first power-splitting train.” Additionally, “the internal combustion engine is connected to a first epicyclic gearset of the first compound gearset via a sun gear of the first epicyclic gearset.” It is respectfully submitted that the cited reference does not disclose or suggest every feature recited in amended Claim 51.

Schmidt describes that the engine 12 is connected via a clutch 40 to a drive gear 76 which is connected to a ring gear of the first planetary gearset 22. Additionally, as discussed above, the sun gears of the planetary gearsets 22, 24, and 26 described in Schmidt are connected to the motor/generating units 14 and 16, not the engine 12. Additionally, as shown in Figure 1 of Schmidt, the sun gear 64 of the fourth planetary gearset 22 is not connected to the engine 12.

Accordingly, it is respectfully submitted that Schmidt does not disclose or suggest that “the internal combustion engine is connected to a first epicyclic gearset of the first

compound gearset via a sun gear of the first epicyclic gearset,” as recited in amended Claim 51.

Instead, as discussed above, the engine 12 described in Schmidt is connected via a clutch 40 to a drive gear 76. Further, the drive gear 76 is connected to a ring gear 32 of the first planetary gearset 22. Thus, the engine 12 described in Schmidt is not connected to a sun gear of any of the four planetary gearsets 22, 24, 26, and 28.

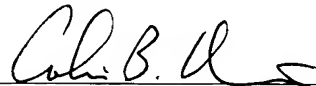
Accordingly, it is respectfully submitted that Schmidt does not disclose or suggest every feature recited in amended Claim 51. Thus, it is respectfully requested that the rejection of Claim 51 as anticipated by Schmidt be withdrawn.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. A Notice of Allowance is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants’ undersigned representative at the below-listed telephone number.

Respectfully submitted,

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